

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)	
)	No. 08 CR 0122
v.)	Hon. Harry D. Leinenweber
)	
KEVIN WADDELL)	

**MOTION FOR NOTICE OF THE GOVERNMENT'S INTENTION
TO INTRODUCE EVIDENCE OF OTHER CRIMES, WRONGS OR ACTS**

Kevin Waddell, defendant herein, by and through his attorney, Gary Ravitz, respectfully seeks entry of an order, pursuant to Federal Rule of Criminal Procedure 12(d)(2) and Federal Rules of Evidence 104, 403 and 404(b), that requires the government to give him notice of, and to produce, all evidence of other crimes, wrongs or acts by him that the government intends to offer either in its case-in-chief, on cross-examination of Mr. Waddell, in rebuttal, or at sentencing, and in support states the following:

1. Federal Rule of Evidence 404(b) bars evidence of other crimes, wrongs or acts, except in certain narrow circumstances. See *United States v. Dolliole*, 597 F.2d 102 (7th Cir.), *cert. denied*, 442 U.S. 946 (1979); *United States v. Beasley*, 809 F.2d 1273 (7th Cir. 1987).

2. Accordingly, Mr. Waddell must be given notice of any such acts which the government intends to use at any point in this case, including sentencing, so that he may appropriately move to prohibit the use of that evidence at trial, assess whether to take the stand in his own defense, and prepare for its use against him at sentencing.

WHEREFORE, Kevin Waddell respectfully requests this Court to order the government to give him notice of its intention to offer evidence of other crimes, wrongs or acts.

Respectfully submitted,

s/ Gary Ravitz

Gary Ravitz, attorney for Kevin Waddell

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